

MINUTES OF THE HOWARD COUNTY PLANNING BOARD – April 12, 2007 P.M.

Members Present: Tammy CitaraManis, Chairperson; David Grabowski, Vice-Chair; Gary Rosenbaum; Ramsey Alexander, Jr.

Members Absent: Linda Dombrowski;

DPZ Staff Present: Marsha McLaughlin; Bob Lalush; Kent Sheubrooks; Lisa Kenney

Pre-Meeting Minutes

The Pre-meeting was opened at 6:40 p.m. and ended at 6:50 p.m. with Tammy CitaraManis, David Grabowski, Gary Rosenbaum and Ramsey Alexander present. The Board discussed amendments to the minutes for February 8th, 2007 as well as the schedule of upcoming meetings

Minutes

On Motion by Mr. Grabowski, seconded by Mr. Rosenbaum the minutes of February 8, 2007 were approved as amended. Mr. Ramsey abstained from the vote. Vote: 3 Yea 0 Nay.

On Motion by Mr. Grabowski and seconded by Mr. Rosenbaum the minutes of March 19, 2007 were approved as amended. Mr. Ramsey abstained from the vote. Vote: 3 Yea 0 Nay.

PUBLIC MEETING

Ms. CitaraManis opened the public meeting at approximately 7:05 p.m.

ZONING REGULATION AMENDMENTS

ZRA 77 – Charles Feaga

Presented By: Bob Lalush
Petition: To amend Section 104 RC, Section 105 RR, & Section 131 Conditional use of the zoning regulations.
DPZ Recommendation: Denial
Petitioner's Representative: Theodore Wimberly

Mr. Lalush explained the request to amend certain regulations to add the language, "Dwelling, Age Restricted Accessory Dwelling Unit." He also stated several items that should be considered if the Planning Board and/or County Council supported the petition.

Mr. Wimberly explained that the petition was the result of a hardship case by a constituent and that Mr. Feaga endorsed the amendment due to the restrictions of size, and covenants to keep the accessory dwelling unit age-restricted.

Ms. CitaraManis stated her concern regarding enforcement issues if the property were sold and Mr. Wimberly explained that covenants would require age-restricted use.

Ms. Maria Nicastro of 12975 Linden Church Road, Clarksville, Maryland spoke in support of the amendment stating that there was an existing accessory building on the property and would like to use it to create an accessory dwelling structure for her mother. She explained that her mother needed first floor living and that age-restricted would be enforced via covenants on the property. Ms. Nicastro also suggested that if she ever sold her home, she would tear out the accessory structure. She

stated that the elderly should not have to move out of Howard County because they can't afford to stay.

Mr. John Liparini of 8835 Columbia 100 Parkway, spoke in support of the amendment stating that there is not currently a comprehensive plan for the elderly for affordable housing in the County.

Motion:

Mr. Rosenbaum moved to approve ZRA 77 as written by the petitioner and not accept staff's recommendation. Mr. Grabowski seconded the motion.

Discussion:

Mr. Rosenbaum stated that this would be another tool to allow parents to live close by and that it would allow aging in place.

Mr. Grabowski stated that accessory apartments are already provided for.

Mr. Alexander stated that the amendment could be accomplished another way.

Ms. CitaraManis stated her concern regarding the way the amendment was written and that it would set a bad precedent.

Vote:

1 Yea 2 Nay. The motion was denied. Mr. Alexander abstained from the vote.

Motion:

Mr. Grabowski moved to accept technical staff report on ZRA 77 and Mr. Alexander seconded the motion.

Vote:

4 Yea 0 Nay. The motion was carried.

PUBLIC HEARING

Ms. CitaraManis opened the public hearing at 7:45 p.m.

PB-379 Ice Crystal, LLC, Petitioner

Presented By:

Kent Sheubrooks

Petition and Location:

For approval of an amended Comprehensive Sketch Plan (CSP), SP-06-17 and Development Criteria to amend certain elements of the original CSP including changes to establish the following land use acreages: 12.413 acres of Residential land use, 10.473 acres of Employment land use, 14.38 acres of Open Space land use and 3.812 acres of Other land use (public road right-of-way); to amend the dwelling unit total, unit types and the land use designation of particular areas to allow for the addition of 127 age-restricted adult housing units; and to amend certain sections of the Development Criteria to reflect a change in use from all office employment use to a combination of office and age-restricted adult housing as part of the overall 41.078 acre MXD-6 zoned project located on the southeast side of Maryland Route 216 and U.S. Route 29 in the Sixth

Election District of Howard County, Maryland.
DPZ Recommendation: Approval
Petitioner's Representative: Richard Talkin, Esq.

Mr. Sheubrooks gave an overview of the proposal to implement the Preliminary Development Plan and amend certain elements of the original Comprehensive Sketch Plan. He stated for the record that only the amendments are subject to review. Mr. Sheubrooks explained the uses of adjacent parcels and history of the subject site.

Mr. Rosenbaum questioned the amount of buffer to remain on the site. Mr. Sheubrooks explained that most of the existing vegetation in the state right-of-way would be retained.

Mr. John Liparini of 8835 Columbia 100 Parkway was sworn in and spoke in support of the petition. He explained that the original request before the Planning Board had two alternatives and that Alternative 2 was preferred but not allowed until the County Council adopted amendments to the existing regulations. He further explained that the amendments were subsequently adopted and that is why he is before the Planning Board again.

Ms. CitaraManis asked several questions regarding any changes to the existing plan and recreation facility. Mr. Liparini explained that there were no changes from the original plan and that there would be two open space focal points. He also explained the design for the recreation facility and that the residents would determine how the facility would be used.

Motion:

Mr. Grabowski moved to accept the technical staff report for PB-379 and Mr. Alexander seconded the motion.

Discussion:

Mr. Grabowski stated that the plan is consistent with the General Plan and MXD regulations.

Mr. Rosenbaum stated that the MIHU units are a positive contribution consistent with the General Plan.

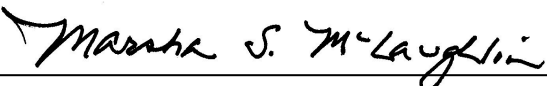
Mr. Alexander stated that the staff had prepared a good staff report with very succinct criteria.

Vote:


4 Yea 0 Nay. The motion was carried.

Ms. CitaraManis closed the public hearing at approximately 8:23 p.m.

THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT APPROXIMATELY 8:35 P.M.



Marsha McLaughlin
Executive Secretary



Lisa Kenney
Recording Secretary